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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 JEFFREY MOLNAR, *ET AL.*,

11 Plaintiffs,

12  
13 v.

14 NCO FINANCIAL SYSTEMS,  
15 INC.,

16 Defendant.

Case No. 13-cv-00131-BAS(JLB)

**ORDER LIFTING STAY AND  
SETTING PRETRIAL  
SCHEDULE**

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18 On August 19, 2015, this Court continued a stay in this action, as the parties  
19 are attempting to settle the case, and ordered the parties to file a joint motion to lift  
20 the stay and propose new pretrial and trial dates no later than September 8, 2015.  
21 (ECF No. 196.) On September 8, 2015, the parties filed a Status Report Regarding  
22 Ongoing Settlement Negotiations, informing the Court that they “remain engaged in  
23 settlement discussions and are cautiously optimistic that a settlement is possible and  
24 that they will be able to reach an agreement on principal terms of such resolution (or  
25 determine they are unable to do so) within thirty (30) days.” (ECF No. 197 at p. 1.)  
26 The Status Report thereafter proposed a revised case schedule that the parties agree  
27 “will permit them the time necessary to determine whether a settlement can be  
28 reached and if not, will not needlessly delay the efficient progression of the

litigation.” (*Id.* at p. 2.)

Given the foregoing, the Court hereby **LIFTS** the stay in this action and **SETS** the following pretrial schedule:

1. The parties must comply with the pretrial disclosure requirements of Fed. R. Civ. P. 26(a)(3) no later than **November 13, 2015**. Please be advised that failure to comply with this section or any other discovery order of the Court may result in the sanctions provided for in Fed. R. Civ. P. 37, including a prohibition on the introduction of experts or other designated matters in evidence.

2. In jury trial cases before this Court, neither party is required to file Memoranda of Contentions of Fact and Law pursuant to Civil Local Rule 16.1(f)(2).

3. Counsel shall confer and take the action required by Local Rule 16.1(f)(4)(a) on or before **November 6, 2015**.

4. Counsel for the Plaintiff(s) must provide opposing counsel with the proposed pretrial order for review and approval and take any other action required by Local Rule 16.1(f)(6)(a) on or before **November 13, 2015**.

5. Written objections, if any, to any party’s Fed. R. Civ. P. 26(a)(3) pretrial disclosures shall be filed and served on or before **November 13, 2015**. Please be advised that the failure to file written objections to a party’s pretrial disclosures may result in the waiver of such objections, with the exception of those made pursuant to Rules 402 (relevance) and 403 (prejudice, confusion or waste of time) of the Federal Rules of Evidence.

6. The proposed pretrial order shall be lodged with chambers on or before **November 20, 2015** and shall be in the form prescribed in Local Rule 16.1(f)(6)(c).

7. The final pretrial conference is scheduled for **December 7, 2015** at **11:00 a.m.** in **Courtroom 4B**.

8. All motions *in limine* are due no later than **December 21, 2015**.

9. All responses to the motions *in limine* are due no later than **January 8, 2016**.

1           10. The parties shall submit the following no later than **January 8, 2016**:  
2 (1) joint proposed jury instructions; (2) proposed verdict form; (3) voir dire  
3 questions; and (4) statement of the case.

4           11. The parties shall exchange final exhibit and witness lists no later than  
5 **February 1, 2016**.


6           12. A hearing for the motions *in limine* is scheduled for **January 25, 2016**  
7 at **11:00 a.m.** in **Courtroom 4B**.

8           13. The trial in this matter shall commence on **February 23, 2016** at **9:00**  
9 **a.m.** in **Courtroom 4B**.

10          14. The dates and times set forth herein will not be modified except for good  
11 cause shown.

12           **IT IS SO ORDERED.**

13  
14 **DATED: September 11, 2015**

  
**Hon. Cynthia Bashant**  
**United States District Judge**